



Missouri's Safe Schools Act

The Missouri Safe Schools Act was originally passed in 1996. The Safe Schools Act as it pertains to discipline can be broken down into 4 main sections:

1. Establishing a written discipline policy;
2. Discipline policy requiring administrators to report acts of school violence to employees on a 'need to know' basis;
3. Discipline policy requiring administrators to report acts that would constitute a felony to law enforcement officers;
4. Discipline policy that allows for a one-year suspension or expulsion of a student who brings a weapon to school.

Establishing a Written Policy

The local board of education must clearly establish a written policy of discipline which includes the district's determination on the use of corporal punishment as well as procedures in which punishment will be applied. A copy of the district's discipline policy shall be provided to the pupil and parent / legal guardian at the beginning of each school year. All employees shall annually receive instruction related to the specific contents of the discipline policy and any interpretations necessary to implement the provisions of the policy.

Reporting Acts of School Violence on a Need to Know Basis

Administrators are required to report acts of school violence to district employees on a need to know basis. This is defined as school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis.

'Act of School Violence' or 'Violent Behavior' means the exertion of physical force by a student with the intent to do serious physical injury to another person while on school property, including the school bus, or while involved with school activities.

Reporting to Appropriate Law Enforcement Officials

At a minimum the policy shall require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any felony or act that if committed by an adult would be a felony. These include: *First Degree Murder, Second Degree Murder, Kidnapping, First Degree Assault, Second Degree Assault, Forcible Rape, First Degree Burglary, Second Degree Burglary, First Degree Robbery, Distribution of Drugs, First Degree Arson, Voluntary Manslaughter, Involuntary Manslaughter, Sexual Assault, First Degree Property Damage, Possession of a Weapon, First Degree Child Molestation, Deviate Sexual Assault, Sexual Misconduct Involving a Child, Sexual Abuse*; when committed on school property, including the school bus, or while involved in school activities. The policy must also require that any portion of a student's IEP that is related to demonstrated or potentially violent behavior shall be provided to any teacher or other school



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district employee who are directly responsible for the student's education or who otherwise interact with the student. The policy shall also contain the consequences of failure to obey standards of conduct set by the board of education.

Likewise a juvenile officer, sheriff, chief of police, or other appropriate law enforcement authority shall, as soon as reasonably practical, notify the superintendent, or their designee, when a petition has been filed alleging a student has committed one of the above acts.

Suspension / Expulsion

The discipline policy must provide for a suspension for not less than one year, or expulsion for a student who brings a weapon to school. The term 'school' includes, but is not limited to '*a school playground, parking lot, school bus, school activity on or off school property*'. However, the Superintendent, or in a school district with no high school, the principal of the school which the student attends may modify the suspension on a case-by-case basis; and the suspension / expulsion does not prevent the school district from providing educational services in an alternative setting to a student who has been suspended.

Definition of a Weapon

The term 'weapon' shall mean a 'firearm' as well as the following items: *a blackjack, a concealable firearm, an explosive weapon, a firearm, firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, shotgun, a spring gun or a switchblade knife.*

A 'firearm' is defined as '*any weapon (including a starter gun), which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; or any destructive device. This term does not include an antique firearm.*'

A 'destructive device' is defined as: '*any explosive, incendiary, or poison gas; bomb; grenade; rocket having a propellant charge of more than one-quarter ounce; mine.*'

For more information concerning Missouri's Safe Schools Act visit DESE's website at: <http://dese.mo.gov/governmental-affairs/legislation/safe-schools-act>